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FISHERIES AND AQUACULTURE IN EUROPE



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two years of integration**

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Carmen Fraga Estévez

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an international agreement

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We welcome your comments or suggestions at the following address:
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The integrated maritime policy: a challenge that extends beyond Europe's borders

The many challenges faced by the integrated maritime policy (IMP) pay no heed to borders, neither those of the Member States nor those of the European Union. Marine pollution rarely has a local impact but leads to an overall degradation of biodiversity and the maritime environment. Climate change can only be fought through global plans for reducing greenhouse gas emissions. Similarly, fair competition in maritime transport and shipbuilding and the promotion of decent working conditions in these sectors can only be developed at international level.

We can also mention the example of conflicts of interests in international waters, such as fishing zones also used as maritime routes or the cohabitation of energy production activities (drilling platforms, wind farms, etc.) and fishing, recreational or aquaculture activities. Lastly, the monitoring of seas to ensure control and security and to combat illegal activities obviously cannot be managed without strong international cooperation.

International collaboration is therefore increasingly critical to effective action.

These vital issues do not exist at global level alone, however. The EU shares several regional sea basins with non-member countries: the North Sea with Norway and the Faeroe Islands, the Baltic Sea with Russia, the Black Sea with Ukraine, Russia, Georgia and Turkey, and the Mediterranean with 12 other States, not to mention very remote regions and the Arctic. At this level too, the IMP must become a driver of sustainable maritime development. Today, these sea basins are faced with problems that could be solved more effectively through an integrated approach. For example: striking a fair balance between exploitation of oil and natural gas and preservation of the polar ecosystem in the Arctic, developing more sustainable tourism in the Mediterranean, harmonious development of ports and maritime shipping routes in the Baltic, etc. These problems are analysed in the European Union's regional maritime strategies. The latest to date, on the Mediterranean, is presented in this issue.

If the IMP is to be a success, it is the EU's responsibility as a global player and a regional partner to take strong action at international level to rise to the challenges facing the maritime sector. Its leadership on a number of issues is widely recognised and even encouraged by many partners, moreover.

This is the message of the European Commission's communication on this subject, the content of which is described in this issue.

The Editor



European maritime policy: two years of integration



To play a key role in the world's oceans, the European Union aims to bolster the impact of its action in the international arena, both within existing multilateral bodies and in bilateral relations with key partners and regional cooperation in certain sea basins.

The European Union's integrated maritime policy is two years old. These first two years have seen intensive work to lay the foundations for the sustainable development of Europe's maritime sectors, a development process that combines economic growth, the welfare of coastal populations and respect for the marine environment. The concept has gained ground at every level of power and in all maritime sectors. The Commission reviews its progress.

The European Union (EU) adopted an integrated maritime policy in October 2007. Underpinning this fundamental change of approach to its maritime development was the finding that although the EU is the world's leading maritime power, its exploitation of the seas is less than optimal. As a result, overfishing is depleting fish resources; pollution, eutrophication, invasive species and other evils are destroying the marine environment; coastal areas are deteriorating; economic operators are in increasing competition for space, etc. All this is happening even as the sea's economic potential is still under-exploited! In other words, the European maritime economy is digging its own grave. This situation had to come to an end to ensure a future, and especially a sustainable future, for Europe's maritime sectors.

The basic problem was identified a long time ago, namely fragmented management of maritime issues. Fisheries, tourism, transport, shipbuilding, environment, defence, town planning and safety all tended to operate separately, without taking the others into account... Yet they are permanently in interaction and every decision taken in one area can have an impact on the others. It was therefore necessary to establish an overarching vision of the development of maritime activities based on the logic of sustainable development.

It was in 2006 that the European Commission first mentioned the possibility of introducing an integrated maritime policy. Following the publication of its Green Paper, *Towards a future Maritime Policy for the Union* ⁽¹⁾, the Commission consulted maritime stakeholders for over a year. It then drew up the

Blue Book, *An Integrated Maritime Policy for the EU*, accompanied by a detailed *action plan* to implement this policy ⁽²⁾. When the Council gave the nod of approval to this project in December 2007, it asked the Commission to report on the action plan within two years. The Commission presented this report on 15 October last year ⁽³⁾.

The action plan announced 65 actions to be implemented in 2008 and 2009. The aim was, on the one hand, to develop the new maritime policy that brings all sectors under the umbrella of a common vision and, on the other, to give the EU new maritime decision-making and management tools. Fifty-six actions have been launched or completed and nine others are advancing. Most importantly though, these actions have led to real achievements on the ground in a number of areas.

Governance adapts

On governance, for example, many national and transnational institutions have organised to facilitate maritime integration. The Commission set the example at European level. The Commissioners concerned set up a steering group, which meets once a year to synchronise their policy plans. At administrative level, this approach is illustrated by an inter-service group that brings together 28 Directorates-General to monitor the progress of maritime integration step by step. In addition, the remit of the Directorate-General for Maritime Affairs and Fisheries has been expanded: it now provides general coordination of all maritime policies. The goal is to build synergy among policies with a maritime dimension

⁽¹⁾ Fisheries and aquaculture in Europe, No 30, September 2006.

⁽²⁾ Fisheries and aquaculture in Europe, No 38, April 2008.

⁽³⁾ COM(2009) 540.



developed by the different Directorates-General (Energy and Transport, Environment, Enterprise and Industry, Regional Policy, External Relations, Trade, Research, etc.) and to ensure their consistency in terms of impact on the marine space.

At national level, the Member States have modified their structures to facilitate an intersectoral vision of their maritime policy. In so doing, they are following the guidelines suggested by the Commission in 2008, in a Communication ⁽⁴⁾ that maps the way to integrated maritime governance, with systematic consultation of the actors concerned.

In concrete terms, most countries have set up an inter-ministerial maritime committee tasked with placing all sectoral policies on the same wavelength. Bulgaria, the Czech Republic, Ireland, Greece, Poland, Slovenia, Finland and Portugal have already taken this step. Others are taking integration further by placing maritime policy coordination within a single ministry, sometimes even the Prime Minister's office. This is the case in Belgium, Germany, France, Denmark and the Netherlands. Sweden and the United Kingdom have gone a step further by legislating to reform their maritime policy under an integrated approach, setting up an administration focused solely on this new policy. Certain maritime regions have also embarked on a process of maritime policy integration at their level. Asturias (Spain), Schleswig-Holstein (Germany) and Brittany (France), for example, have developed their own maritime strategies.

Action is not limited to the political level alone, however. Economic operators and associations are also involved. The 'Venice Platform' illustrates this new dynamic. In November 2008, representatives of companies, regions, non-governmental organisations, scientific organisations and users of the sea laid the foundations for a platform bringing together the players concerned, from all sectors, with the aim of organising dialogue with the public powers. The Venice Platform has developed in two directions: a network of scientists and a platform of stakeholders who will work on all the sectors concerned by the integrated maritime policy.

Tools being developed

The Commission had planned to introduce three tools for management and decision-making under the integrated maritime policy: **maritime spatial planning** to serve as a framework and channel the development of maritime activities, effective **maritime surveillance** to protect users of the sea from natural and human-caused risks and a **European marine observation and data network** to give stakeholders and policy-makers precise scientific data and statistics.

Maritime spatial planning (MSP) was the subject of a roadmap presenting the 10 key principles ⁽⁵⁾ that underpin such planning, which is the responsibility of the Member States. MSP is being put in place in a number of States. Germany, the Netherlands, Belgium and Spain have set up at least partial plans for the use of their exclusive economic zones.

A Communication has just been released on maritime surveillance, which will be discussed in the following pages.

The European Marine Observation and Data Network (EMODNET) is being developed under the leadership of an expert group. By the end of 2010, it is expected to deliver data on the hydrography, geology, chemistry and biology of certain sea basins, which will form the basis for a map of marine habitats and high-resolution mapping.

An integration involving all sectors

Lastly, for all sectoral actions decided over the last two years, special attention has been given to developing an integrated approach. The *Marine Strategy Framework Directive* ⁽⁶⁾, for example, obliges Member States to ensure good environmental status in their marine waters by 2020. This measure will help safeguard the resources vital to socio-economic activities and it cannot be applied optimally in the absence of spatial planning or of the EMODNET observation network. It also influences the Common Fisheries Policy, which is presently built on the ecosystem approach.

So the integrated maritime policy is on the move. With its potential for growth, jobs and innovation, its development in the coming years will play a key role in bringing the EU out of today's economic recession.

(4) COM(2008) 395.

(5) *Fisheries and aquaculture in Europe*, No 42, March 2009, pp. 10 and 11.

(6) Directive 2008/56/EC.

Maritime surveillance: tearing down walls



On maritime surveillance, the Commission wishes to ensure the interoperability of sectoral, national and European systems. This requires a major effort to develop standards, common procedures and systems interconnection.

Monitoring and tracking systems used for maritime safety and security, protection of the marine environment, fisheries control, control of external borders and other law enforcement activities presently operate in isolation, with walls between the different sectors. By enhancing their integration, the European Commission aims to improve the effectiveness of such systems.

Optimal exploitation of the oceans requires ideal security conditions and respect for rules. Today, maritime law enforcement activities are the responsibility of different services such as traffic surveillance, environmental protection, fisheries control, sea rescue, border surveillance, coast guards and navies. These services operate independently from one another, sometimes collecting the same information without realising it. Even where they are aware of such overlap, it is not always possible to share their information in the absence of compatible protocols or prior political agreements.

This segmentation is hardly a guarantee of effectiveness. Here too, integration is needed to help improve the quality of service. The Commission therefore recommends the development of extensive vertical cooperation between different bodies as well as horizontal cooperation between the services of different Member States and even in some cases with third countries.

Yet the idea is also to go beyond mere cooperation. The Commission set up a group of Member State experts to work on developing the interoperability of services. This work provided input for the European Commission's new Communication entitled *'Towards the integration of maritime surveillance: A common information sharing environment for the EU maritime domain'* (1). The aim is to set out guiding principles for the development of a common information sharing environment for all services in charge of maritime surveillance, a prerequisite to effective interoperability.

Interoperability

Indeed, until now, each body has always used its own information system. For example, the Vessel Monitoring System (VMS), used to locate fishing vessels by satellite, and the Automatic Identification System (AIS) which locates transport ships via coastal antennas, are only available to fisheries control services and maritime traffic surveillance services respectively, without superimposition. The Commission has therefore reviewed all systems used in the European Union and is now proposing that Member States adopt 'a common information sharing environment'.

In other words, sectoral, national and European systems need to be interoperable, which requires a huge effort to develop standards, common procedures and systems interconnection. The effort will be well worth it, however, because interoperability will improve the quality and effectiveness of surveillance and cut costs. These advantages will have a positive impact on national security, maritime security and safety, protection of the marine environment, border control and law enforcement in general.

Two pilot projects

Two pilot projects are under way to evaluate the obstacles to be tackled in this difficult undertaking: one in the Mediterranean and the near Atlantic and the other in sea basins in the north of Europe. The idea is to pool information and data on border surveillance, customs, fisheries control, maritime security, search and rescue operations, marine pollution, maritime safety of vessels and ports, prevention and eradication of criminal activities and the effectiveness of navigation and transport. The results and lessons of these two pilot projects are expected to contribute to widespread interoperability throughout the European Union.



(1) COM(2009) 538.

External dimension: building the European Union's international role in maritime affairs

Climate change, loss of biodiversity, and sustainable use of marine resources are some of the challenges that the European Union intends to take up with the integrated maritime policy. Marine ecosystems and maritime economies transcend borders, however, so the European Union cannot ensure sustainable growth of the maritime economy and preserve the marine environment without including an international dimension.

The European Union (EU) must play a decisive role in the international management of maritime affairs. It therefore wishes to bolster the impact of its action in the international arena, both in existing multilateral bodies and in bilateral relations with key partners. It also aims to develop regional cooperation in sea basins shared with other States.

In its Communication, '*Developing the international dimension of the Integrated Maritime Policy of the European Union*'⁽¹⁾, the Commission reviews a number of international maritime issues and proposes areas for action.

International governance – It is more important than ever for the rules of the game to be clearly defined, accepted by all and easy to apply. To start, the law of the sea must be enforced globally. The EU must therefore use its influence to see to it that the States that have not yet done so sign up to the founding international agreement on law of the sea, namely the 1982 *United Nations Convention on the Law of the Sea* (UNCLOS).

Marine biodiversity – The EU should continue to work with its partners from the *Convention on Biological Diversity* to create protected marine areas in the high seas. This implies working at UNCLOS level to obtain an international agreement on the sustainable exploitation of marine biodiversity in international waters.

Climate change – Oceans, seas and coasts are victims of climate change. However, they can play a role in mitigating the process through the development of new sources of energy or CO₂ storage. The EU must therefore work for the conclusion of a post-2012 agreement on climate change, in collaboration with its partners from the *United Nations Framework Convention on Climate Change*. It must also support the negotiations taking place in the *International Maritime Organisation* (IMO) to limit CO₂ emissions from ships. The EU also must continue to help the developing countries adapt to climate change.



The integrated management of maritime activities has taken giant steps forward since 2007. On national governance, most countries have set up an interministerial maritime committee tasked with placing all sectoral policies on the same wavelength.

Maritime safety and security – The EU guarantees the security of maritime traffic in its waters, as well as the freedom and security of navigation. It expects all its international partners to do the same in their waters. Outside its waters, the EU is committed to keeping up the fight against piracy, as it is doing in Somalian waters today, and helping the States concerned to restore law and order on land.

Employment – Within the framework of the *International Labour Organisation*, the EU must cooperate to promote decent working conditions in the highly globalised sectors of transport, shipbuilding and fisheries, with a view to guaranteeing social justice and fair competition between global operators.

Scientific research – The EU should continue scientific cooperation with its international partners to pursue large-scale research programmes concerning the high seas and deep-sea research.

International representation

If the EU is to be in a position to develop the integrated approach in international bodies, it has to enhance its role and presence in such fora. When EU representation as such is not possible, coordinated or even common positions should be adopted in keeping with the duty of loyal cooperation.

(1) COM(2009) 536.

Regional strategy: better governance in the Mediterranean



The deployment of an integrated maritime policy in the Mediterranean has to tackle two major obstacles: the European Union is present in only seven Mediterranean States and a large part of the waters of the Mediterranean is governed by rules for the high seas. The solution will consequently require new governance initiatives.

Last September, the European Commission presented the new regional maritime strategy for the Mediterranean. The Mediterranean has serious problems to address in a complex political context. The Commission proposes ways towards improved maritime governance and greater involvement of coastal States in the management of marine areas.

The integrated maritime policy has to be grounded in principles that are applicable everywhere, but must also be able to adapt to specific regional situations. Regional sea basins differ widely from one another, not only in terms of physical factors but also in socio-economic terms. The Commission has already developed regional maritime strategies for the Arctic Ocean (1), the Baltic Sea (2) and, the latest to date, the Mediterranean (3).

A semi-enclosed sea with tremendous potential, the Mediterranean is the victim of unbalanced and non-sustainable development. In volume, it bears nearly 30% of global maritime trade. Around 20% of containers and 30% of sea-borne oil traffic transit through the Mediterranean. Nearly half the EU's fishing fleet operates in this sea. Its coastal areas are home to more than 150 million inhabitants, a figure that doubles during tourist season. These activities are neither controlled nor coordinated. They have a detrimental impact on the Mediterranean ecosystem, which suffers from polluting

emissions from shore and from vessels, a general degradation of the coastal environment and significant biodiversity loss. The Mediterranean region is also defined as a sensitive zone in terms of climate change because it is threatened by floods, coastal erosion and soil deterioration.

Cooperation

Yet human activity could draw far greater economic benefits from this sea with a greatly reduced impact on its ecosystem. It is therefore urgent to tackle these problems within the context of an integrated maritime policy. Two obstacles stand in the way. First, only seven Mediterranean States are EU members, while the other 12 countries apply different maritime (and sectoral) policies. Second, the large proportion of the Mediterranean waters is governed by rules for the high seas and is outside the regulatory reach of coastal States. An integrated maritime policy therefore can only be established through governance initiatives.

First of all, this means working with Member States to develop cross-cutting governance tools, the only way to implement an integrated policy, and then drawing the attention of other coastal States to their advantages. This could include, for example: maritime spatial planning, which will be the subject of a pilot project to encourage cross-border planning, integrated coastal zone management, for which best practices will be placed online, or the integration of research efforts and integrated maritime surveillance. The latter is being addressed in a pilot project involving six coastal States (see p. 6).

The other area of action aims to improve maritime cooperation between Mediterranean rim countries and especially to place such cooperation within the framework of an integrated approach. The European Commission proposes, for example, to encourage private and public maritime stakeholders to cooperate more closely at the level of the Mediterranean basin as a whole, or to help interested non-EU States to develop an integrated approach. It also plans to set up a Mediterranean working group on integrated maritime policy to promote dialogue and cooperation with non-EU Mediterranean coastal States.

'The challenges affecting the Mediterranean Sea call for shared and, above all, integrated responses, rooted in improved maritime governance', concludes the Commission's Communication.

(1) COM(2008) 763.
(2) COM(2009) 248.
(3) COM(2009) 466.

Interview – Parliament: on course for the Treaty of Lisbon



The Treaty of Lisbon expands significantly the European Parliament's powers in the field of fisheries. With the exception of certain matters such as the setting of TACs and quotas, decisions in many areas will now have to be approved by Members of the EP. The mandate of the EP's Committee on Fisheries is therefore appreciably strengthened.

Carmen Fraga Estévez (European People's Party) is the new Chairwoman of the European Parliament's Committee on Fisheries. This 45-member committee reviews fisheries issues before they are presented to the EP as a whole. Mrs Fraga Estévez is in her second term of office as committee chair. Most of the committee members are neophytes both in Parliament and with respect to the Common Fisheries Policy. Interview.

• **What do you see as the priorities for the next five years?**

CFE: The first important point is the entry into force of the Treaty of Lisbon. The remit of the Fisheries Committee will be considerably strengthened. We are moving from virtually 0% to nearly 100% codecision, with the exception of TACs (1) and quotas and fisheries agreements, for which we have the possibility to issue assent, however. In other words, our 'yes' or 'no' is binding on the Council. Consequently, we will have to exercise these powers in the most appropriate way. That will take a lot of work, a lot of time and a lot of scientific study, but we are ready to take up this challenge and we think we are equal to it.

• **What are the points of friction and the points of convergence with the European Commission?**

CFE: With regard to the reform of the Common Fisheries Policy, we are going to have more problems with the Council than with the European Commission, in my opinion. The Commission is perfectly aware of the problems and solutions, of the limited choices available, and I think that it is on the right track and that it has already made a major effort by doing some soul-searching in the Green Paper (2). The problems to come in the short term, I think, will concern management plans more than anything else. First, because the European Commission does not take account of the socio-economic consequences or the repercussions of these plans and second because it works from a very simplistic principle, namely that when there is less fishing, prices increase.

This is not true, however, as demonstrated by numerous plans. What's more, the Commission has not analysed alternative fishing activity. With the new Common Fisheries Policy, which takes account of the ecosystem approach, maximum sustainable yield, and so on, this question can be settled. For the short term, however, many problems with the management plans need to be addressed. We approve proposals presented by Regional Advisory Councils more often than those presented by the European Commission. Another important problem is behind the failure of the management plans: we cannot simply reduce TACs and fishing effort. There has to be an analysis of each fishery, not of each stock, but of each fishery taken as a whole since most European Union fisheries are mixed or multispecies. That's the only serious approach, and it will even make it possible to avoid discards...

• **And with regard to the Council? How do you see your collaboration?**

CFE: I don't know. We will start dealing with the Council only within the framework of the codecision procedure. I think that closer relations are possible for some questions but not for others. For the reform of the Common Fisheries Policy, I believe that we have a greater chance to form a common front with the European Commission than with the Council. But I don't really know yet. We will see whether relations with the Council are good or bad starting next year, with the entry into force of the Treaty of Lisbon.

• **Could the European Parliament's Committee on Fisheries evolve into a Committee on 'Maritime Affairs'?**

CFE: That is what we requested during the previous legislative period. We are seeking to obtain at least the coordination of maritime policy, in parallel with the remit of the Commissioner for Maritime Affairs and Fisheries. This question has not been addressed yet. I think the European Parliament is waiting for the Treaty of Lisbon to enter into force to adapt the competences of the different committees. I don't know whether we will obtain this new area of competence, because the Committee on Transport is also trying to secure it.

(1) Total allowable catches – maximum catches allowed for a given fish stock.

(2) COM(2009) 163.

Port State, the lead player in the fight against illegal fishing



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Under the FAO agreement, the master of the fishing vessel must transmit to the port State of landing documentation that guarantees the lawfulness of the fish it is transporting: fishing licences, transshipment authorisations, catch on board, catch to be offloaded, etc.

The European Union has been applying its new regulation on illegal fishing since 1 January 2010. Meanwhile, an international agreement with the same aim is being adopted by the Council of the Food and Agriculture Organization of the United Nations. At the heart of this agreement is the port State, destined to play a crucial role in monitoring the lawfulness of goods landed and in eradicating illegal fishing.

Every year, numerous violations of fishing rules – especially unauthorised fishing, catches of protected species, use of banned fishing gear or non-compliance with fishing quotas – endanger fish stocks and strongly destabilise the fishing economy. So far, none of the usual control measures has proved effective enough to eliminate illegal fishing. Inspections on the high seas, for instance, which must be limited to three or four hours, do not allow a sufficiently detailed review of the cargo of vessels that sometimes transport hundreds of tonnes of fish. The same holds for satellite-based vessel monitoring systems (VMS). This instrument of course makes it possible to track a vessel's movement, but it cannot indicate precisely whether the vessel has fished or not during its navigation. The third area of measures, namely the deployment of observers on fishing vessels, has also proved inadequate. These different controls are also costly, making it hard for developing countries to put them in place.

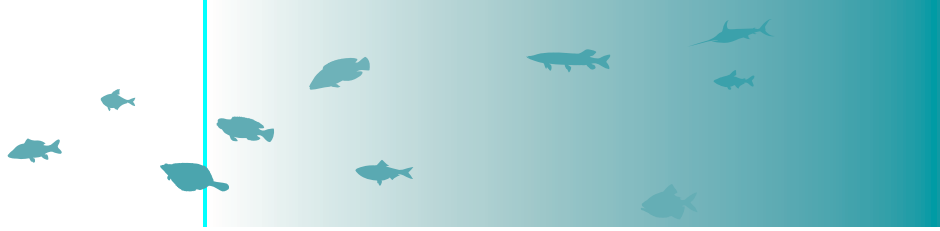
A swift agreement

This explains why the importance of giving responsibility to the authorities of the port State where vessels land their cargo has come to be recognised. The negotiations in the United Nations Food and Agriculture Organisation (FAO) proceeded very quickly. It took less than a year for the 91 participating countries to strike this 'Agreement on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing'. *'This speed is due to*

the fact that this new legal instrument is the crowning achievement of a long process that started in the FAO 16 years ago', explains Jean-François Pulvéris de Séligny, Director of the Fisheries and Aquaculture Economics and Policy Division at the FAO. As early as 1993, an agreement aimed at encouraging respect for conservation and management measures by fishing vessels on the high seas recognised the role of the port State. The 1995 agreement on straddling and highly migratory fish stocks did the same. A few years later, in 2001, the International Plan of Action to prevent illegal fishing gave an even more central role to the port State. Then, in 2005, a model scheme of a voluntary nature recommended measures to improve port State controls and to eradicate illegal fishing.

'This agreement is particularly important because it does not concern just one type of stocks and because it is not intended to be applied solely on the high seas', continues Jean-François Pulvéris de Séligny. It also is not limited to fishing vessels alone, but covers all vessels related to the fisheries sector: refrigerated cargo ships, supply ships, etc. This is one way of guarding against illegal transshipments at sea.

One of the first commitments to be made by States under this agreement will be to draw up and publish on internet a list of designated ports where controls to deter illegal fishing can be implemented. When the master of the fishing vessel has identified a port of landing, he will have to transmit certain information to the port State: fishing authorisations and



appropriate transshipments, total catch on board, catch to be offloaded, and so on. The vessel master will also have to ensure that all this information is submitted well enough in advance to allow the port State to review it or even to contact the flag State to check certain information.

If the port State collects information leading it to doubt the lawfulness of the fish cargo, it is entitled to refuse port entry. In this case, the vessel does not have the right to use the port for offloading, transshipment, market preparation and processing of fish. Nor will it be entitled to use port services such as fuel supply, provisioning, maintenance or dry-docking. The port State is also entitled to ban port entry if the flag State does not transmit the information requested sufficiently in advance. This refusal is immediately notified to the flag State, coastal States, regional fisheries management organisations (RFMOs) and other relevant international organisations. If the security of the crew or the vessel is at stake, the ban on port entry is obviously waived.

A second solution is available to the port State if there are doubts about a vessel's cargo: it may grant port entry and then inspect the cargo. The port State inspectors are in this case entitled to check that the identification documents correspond to the information submitted by the vessel. The inspectors may also demand additional documentation: fishing registries, logbooks, the crew list, stowage plans, etc. They may also examine fishing gear and stowed fish. All the signatory countries will have to provide thorough training for inspectors in ethics and law, identification of fish species and the use of surveillance systems.

One last important point is that, with this agreement, the participating countries aim to close one of the loopholes of earlier legal instruments by taking account of the particular needs of the developing countries. The signatory countries agree to help the developing countries, either directly or through an international institution, to establish a legal basis and capacity for such controls, to facilitate their participation in international organisations and to provide technical assistance. *'This highly developed article enables as many States as possible to participate in the agreement, which guarantees that vessels will not simply head to other ports'*, explains Jean-François Pulvéris of the FAO. This is a good way to tackle the problem of ports of convenience. The agreement also provides for setting up networks to allow countries to share information on vessels that engage in illegal fishing.

A minimum standard

This agreement, which constitutes a minimum standard in the fight against illegal fishing, was adopted in November 2009 at the FAO conference. It will enter into force once ratified by at least 25 countries. To avoid delaying the process, every country may choose to implement it provisionally, as the European Union has decided to do. In parallel, the FAO continues to draw up a global register of vessels suspected of practicing illegal fishing and is also working on a process to evaluate flag State performance criteria.

The FAO also plans to keep going after such a good start. This binding international agreement has directly inspired negotiations on labour law issues: the FAO is preparing, in collaboration with the International Labour Organisation, a legal instrument for the control of fishermen's working conditions.

The European regulation

The FAO agreement constitutes a minimum standard that has to be matched with more binding measures at regional level. The European Union is already headed in that direction. It has recommended the introduction of stricter measures based on port State control within certain RFMOs. Port State control is in force at the International Commission for the Conservation of Atlantic Tunas for landings of bluefin tuna, at the Northwest Atlantic Fisheries Organisation for all landings and at the North-East Atlantic Fisheries Commission for landings of frozen fish. In September 2008, the European Union adopted a regulation to combat illegal fishing ⁽¹⁾, which entered into force on 1 January 2010. This regulation, which is more restrictive than the FAO agreement, concerns all offloading of marine products from non-EU States, from vessels, trucks or aircraft. Based on the port (or market) State's control capacity, it recommends the organisation of a catch certification system as a means of ensuring the traceability of imported products. Another tool is the creation of a warning system to share information on vessels suspected of practicing illegal fishing.

(1) Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

In brief

□ European Maritime Day: conference in Gijón

European Maritime Day will be celebrated on 20 May. To mark the occasion, the Spanish EU Presidency, the government of the Principality of Asturias and the European Commission are sponsoring a major stakeholder conference on the theme of innovation in maritime sectors and its repercussions on competitiveness, environmental protection and sustainable development of coastal zones. The conference will take place in Gijón (Asturias) from 19 to 21 May 2010. In addition to some 40 seminars on different aspects of the integrated maritime policy, other maritime-focused activities are planned, including exhibitions, presentations of vessels in the port of Gijón and awareness campaigns on the importance of the sea. Along with this core event, the Commission encourages all European maritime players to participate at their own level in Maritime Day by organising decentralised events in their area of activity. For more information, see: ec.europa.eu/maritimeday

Control: regulation adopted

The Council of Fisheries Ministers has adopted the reform of the control system that the Commission proposed in 2008. The new regulation entered into force on 1 January 2010, although some measures were postponed until 2011 to give the Member States time to prepare fully for their implementation. The new regulation introduces coordinated inspections

throughout the market chain, from net to plate. Measures include a comprehensive traceability system, dissuasive sanctions, a point system for serious offences by skippers, operators and shipowners, the possibility of suspending or reducing EU financial aid in cases of non-compliance with rules, increased possibilities for the Commission to reduce fishing opportunities in case of repeated overfishing, unannounced inspections by Commission agents, extension of the mandate of the Community Fisheries Control Agency, etc.

Baltic Sea: concerns over herring

The Council of Fisheries Ministers has set fishing opportunities for 2010 in the Baltic Sea. The improvement in the situation of eastern cod, which is showing signs of recovery, justifies a 15 % increase in the TAC (51 267 t), in accordance with the management plan. For the western stock, the TAC increase is limited to 8.3 % (17 700 t). The state of pelagic stocks is much less encouraging. TACs for the eastern herring stock (Gulf of Bothnia) are increased by 25 % (103 336 t) and for the Gulf of Riga stock by 4 % (36 400 t). TACs for other stocks are reduced: 16.5 % for western herring (22 692 t), 12 % for central herring (126 376 t) and 5 % for sprat. The Council also eased some of the Commission's more drastic reductions. The decision also covers the number of days away from port, increased selectivity of fisheries and the ban on fishing for flounder and turbot in certain zones during certain periods.

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